

REMARKS

No new matter is added by this amendment. The present application was filed September 12, 2003, with originals claims 1-140. In response to a verbal Restriction Requirement made by telephone on June 27, 2007, applicants elected Claim Group 3, corresponding to Species C identified by the Examiner, which consists of claims 39-54 and 108-123. In a Preliminary Amendment, the withdrawn claims (claims 1-38, 55-108, and 1240-140) were cancelled, claim 108 was amended and new claims 141-148 were added. This election is hereby confirmed.

By this amendment, claims 39 and 108 have been amended. Support for these amendments may be found throughout the specification and drawings and in particular Figures 3 and 4. The claims remaining in consideration are claims 39-54, 108-123 and 141-148, of which claims 39 and 108 are independent. Reconsideration is respectfully requested.

The Examiner objected to the Drawings. A replacement sheet with an amended Figure 1 and a new sheet containing original Figure 8 are being filed herewith. Figure 7 has been amended to mirror dependent claim 48. Annotated copies of the drawings are enclosed.

The Examiner provisionally rejected claims 39 and 108 under the judicially created doctrine of obvious type double patenting over claims 1 and 19 of co-pending Application Serial No. 10/938,187. Applicant traverses this rejects and notes that claims 39 and 108 of the present application have been amended herein.

Claims 39-53, 108-122 and 141-148 were rejected under 35 USC §102(e) as being anticipated by Weiss (U.S. Patent No. 6,511,377). This rejection is respectfully traversed. Independent claims 39 and 108 have been amended to more clearly identify the subject matter applicants regard as the invention.

Amended claim 39 sets forth a method for crediting a player of a gaming machine with bonus points. The method includes the step of establishing a player account for the player. The player account is stored in a computer coupled to the gaming machine and has an associated player account number. The method also includes the step of providing a database for storing vouchers in a list separate from the player account (see Figures 3 and 4). Each voucher has a parameter. Each voucher is a separate electronic record stored in the list

in the database. The method further includes the steps of assigning a first number of bonus points to a first voucher, defining the parameter of the first voucher as being one of cashable and non-cashable, and assigning the first voucher to the player account by storing the player account number associated with the player's player account in the voucher.

Specifically, the amendments to independent claim 39 make it clear that: (1) the vouchers are electronic records, (2) the vouchers are stored in a list which are separate from the player account, (3) the vouchers are assigned to the player account by the storing the player account number in the voucher, i.e., electronic record.

According to the MPEP, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131.

As detailed below, Weiss does not include each and every limitation of amended included claim 39.

Weiss teaches a cashless gaming system which stores and establishes player accounts in a player database 62. Each player account may have stored therein:

- cash/chip balance
- marker balance
- player point balance
- promotional balance.

However, these values are stored directly in the player account. For example, the specification clearly states that the "cashless gaming system 10 includes means for awarding bonus points directly to the player's electronic account....", column 12, lines 60-63. Weiss does not include a list of vouchers, i.e., a list containing electronic records, which are separate from the player account(s). Additionally, Weiss does not assign an electronic records, i.e., voucher, to a player account by storing the player account number of a player account within the record, as required by independent claim 38 and 108.

Thus, as claimed (and shown in Figures 3 and 4), the present invention as embodied in amended claim 39 includes a player account and a list of electronic vouchers or records,

where each voucher includes a number of associated bonus points and each voucher is associated with a player account by storing an associated player account number therein.

Since these claimed elements described above are not expressly or inherently described in Weiss, the Examiner has not met the burden required for a proper §102 rejection. Therefore, applicants respectfully assert that the §102(e) rejection of independent claim 39 is improper and must be withdrawn. Dependent claims 40-53 and 141-144 depend from the novel and non-obvious characteristics of independent claim 39. Therefore, applicants respectfully assert that based on the arguments above, and based on their own merits, claims 40-53 and 141-144 are also allowable.

Independent claim 108 is a system/apparatus claim which mirrors independent method claim 39. Amendments similar to the amendments to independent claim 39 have been made to independent claim 108. Therefore, applications respectfully asserts that amended independent claim 108 and dependent claims 109-122 and 145-148 are also allowable.

Claims 54 and 123 were rejected under 35 USC §103(a) as being unpatentable over Weiss (U.S. Patent No. 6,511,377) in view of Walker et al. (U.S. Patent No. 6,503,146). This rejection is respectfully traversed.

Claims 54 and 123 are ultimately dependent upon allowable independent claim 39 or 108, respectively. Walker does not overcome the deficiencies of Weiss. Therefore, for the reasons set forth above and based on their own merits, applicants respectfully assert that dependent claims 54 and 123 are also allowable.

Accordingly, it is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. Applicant believes that no fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789. Further and favorable reconsideration of the outstanding Office Action is hereby requested.

Applicant: Michael D. Crittenden et al.
Serial No.: 10/661,198
Group Art Unit: 3709

Respectfully submitted

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*Original
Figure 8 moved
to new sheet*

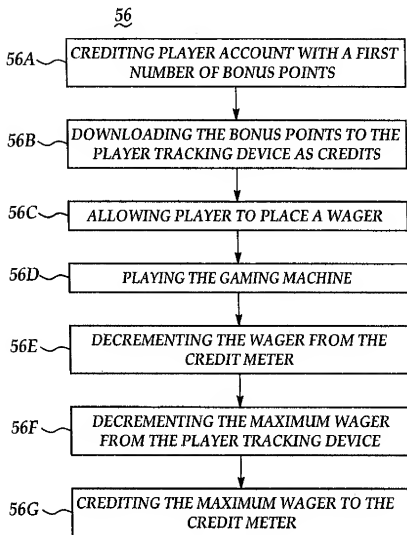
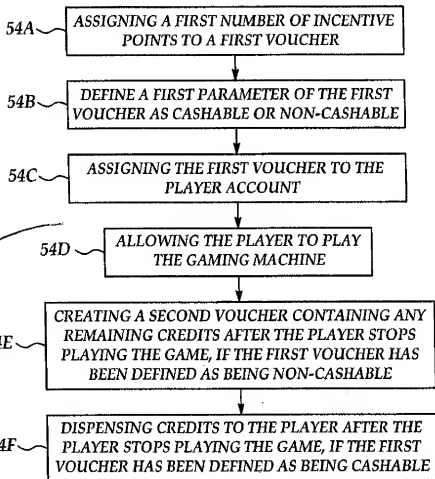


FIG. 8

54



ADDED TO
MIRROR
DEPENDENT
CLAIM
48

FIG. 7